

Supporting Document 11



California Regional Water Quality Control Board

San Diego Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb9/>
9771 Clairemont Mesa Boulevard, Suite A, San Diego, California 92124-1324
Phone (858) 467-2952 • FAX (858) 571-6972

Gray Davis
Governor

December 19, 2002

Mr. & Mrs. Chung Kwan Hsu
Budget Trade & Gas
510 West 5th Avenue
Escondido, CA 92025

In Reply Refer to:
UST:50-2661.05:sjp

Dear Mr. & Mrs. Hsu:

**RE: REQUEST FOR EXTENSION ON JANUARY 2, 2003 DUE DATE FOR
REMEDiation
Budget Trade & Gas, 510 West 5th Avenue, Escondido, CA**

On December 4, 2002, I received a request from you for a six week extension on the January 2, 2003 due date for commencement of remediation by excavation, established in Addendum No. 4 to Cleanup and Abatement Order No. 2000-255. Addendum No. 4 to CAO No. 2000-255 was issued on October 1, 2002 because the lack of progress with obtaining a cost estimate for remediation by excavation was unreasonably delaying the start of excavation. The Regional Water Quality Control Board (RWQCB) made a request for a cost estimate on July 8, 2002, due on August 15, 2002. Your consultant requested an extension to September 20, 2002, to submit the cost estimate and the RWQCB granted that extension. On August 27, 2002, your consultant discontinued working for you due to unresolved payment issues. In October, your consultant resumed working with you. Since no remediation other than free phase petroleum removal has taken place at your site, Addendum No. 4 was issued to compel you to begin the remediation by excavation that you proposed in May 2002.

Because the two-month delay in obtaining a cost estimate for the remediation by excavation was avoidable, your request for an extension is denied. Should you miss the January 2, 2003 due date for the commencement of remediation by excavation, you will receive a Notice of Violation for failure to comply with Addendum No. 4. A technical report of progress of remedial action by excavation is due April 30, 2003. Failure to submit technical reports required under Cleanup and Abatement Orders may result in the imposition of civil liabilities, under California Water Code section 13350 (d) in an amount not to exceed fifteen thousand dollars (\$15,000) for each day in which the violation occurs.

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

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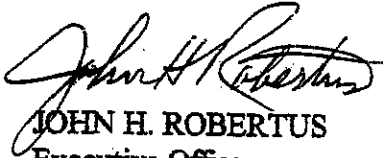
Mr. Hsu

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December 19, 2002

If you have any questions, please call Ms. Susan Pease of my staff at (858) 637-5596.

Respectfully,



JOHN H. ROBERTUS
Executive Officer
San Diego Regional Water Quality Control Board

cc: Ms. Judy Reid, State Water Resources Control Board, Underground Storage Tank Cleanup
Fund, 1001 'I' Street, Sacramento CA 95814

Mr. Chuck Houser, Southern California Soils and Testing, Inc., P.O. Box 600627
San Diego, CA 92160-0627

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